

SURPRISE BILLING REGULATIONS REMAIN A MESS

After a rocky first year for new regulations covering surprise medical billing, no clarity is in sight. Many providers have struggled to comply with new requirements related to patient disclosures and good faith estimates (GFE) on short notice, and new processes for payment dispute resolutions between payers and providers have been the subject of contentious court cases. In an [August update](#), the Centers for Medicare & Medicaid Services (CMS) stated that more than 46,000 payment disputes had been initiated in under four months. CMS also [delayed the enforcement](#) of certain provisions related to GFE co-providers/co-facilities.

MEET TYLER MARKS, MD



Tyler Marks, MD, is an orthopedic hand surgeon in private practice in Tupelo, Mississippi, co-owner of the only privately owned orthopedic ASC in North Mississippi and the secretary of ASCA's Board of Directors.

What are the biggest opportunities in orthopedic surgery in the ASC setting today? What are the biggest challenges?

The biggest opportunities, in my opinion, are in continuing to migrate orthopedic procedures from the inpatient setting to the outpatient. Examples include total ankle arthroplasty, total shoulder arthroplasty and more invasive spine procedures. The biggest challenges, currently, are declining reimbursement from CMS in the face of historic inflation. Medical equipment, supplies and implant costs are rising to mirror inflation while reimbursement continues to decline, forcing some procedures out of the ASC setting and back into the more expensive inpatient setting.

What aspect of ASCA's advocacy do you see as most important to ASC physicians?

They are our proponent in dealing with the bigger bureaucratic agencies. They are a liaison for physicians and ASCs in dealing with entities such as CMS, actively assisting in adding more cases to the ASC list, reimbursements, etc.



NATIONAL ADVOCACY DAY RETURNS

ASCA's first [National Advocacy Day](#) in three years will be held February 27-March 1 in Washington, DC. [Register today](#) to advocate for your surgery center and meet with your members of Congress.

MASSIVE LOBBYING EFFORT FOR PHYSICIAN PAYMENT RELIEF

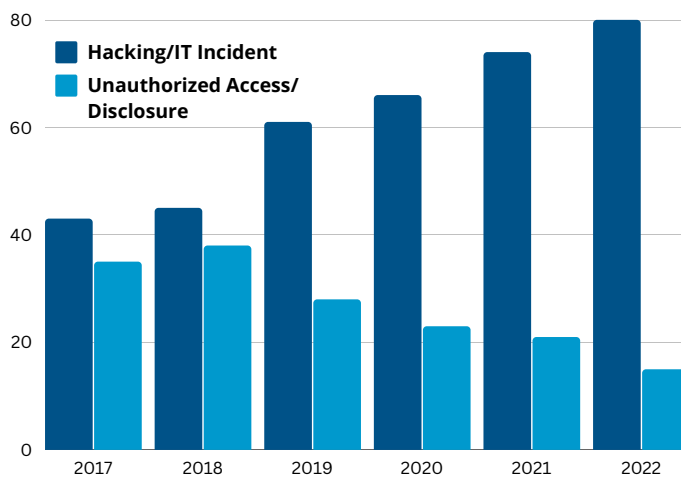
In December, ASCA signed on to a [new letter](#) asking Congress to mitigate cuts to Medicare physician reimbursement set to take effect on January 1, 2023. Congress is expected to act to preempt a 4.5% physician rate cut.

CYBERATTACKS ON THE RISE

Threats to patients' protected health information (PHI) are on the rise. [Eighty percent](#) of reported data breaches are now hacking/IT incidents. Surgery centers are increasingly targeted due to perceived security vulnerabilities and a willingness for healthcare entities to pay ransoms for compromised data. Below are three recommendations to protect your business and your patients' PHI:

- Remain vigilant for any suspicious emails or pop-ups
- Strengthen staff password requirements and avoid reusing passwords
- Keep devices updated with the latest manufacturer software security releases

Data Breach Trends



Source: US Department of Health & Human Services Office for Civil Rights